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Counter Defendant and Counter Claimant KFD Enterprises, Inc.,
a California corporation dba Norman's Dry Cleaner, and
Third Party Defendant Kenneth Daer

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KFD ENTERPRISES, INC., a California
Corporation dba Norman's Dry Cleaner,

Plaintiff,

vs.

CITY OF EUREKA,

Defendant.

Case No. CV-08-4571 MMC

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND DISCOVERY
DEADLINE TO DEPOSE MULTIMATIC
ENTITIES**

AND RELATED COUNTERCLAIMS
AND THIRD PARTY CLAIMS

Pursuant to Local Rule 37-3, Plaintiff KFD Enterprises, Inc. ("KFD") and defendants Multimatic LLC and The Kirrberg Corporation (collectively, "Multimatic"), hereby stipulate to extend the fact discovery deadline to August 31, 2012 for the purpose of deposing Multimatic's FRCP 30(b)(6) representatives. The current discovery deadline is July 30, 2012. Good cause for this one-month extension exists because Multimatic's designated FRCP 30(b)(6) representative and/or Gertrude Hahn reside in Germany and are not available for deposition before the July 30,

2012 deadline. The parties have made a good faith effort over the last several months to schedule these depositions to no avail due to scheduling conflicts and the fact Ms. Hahn resides abroad.

Good cause is further shown as these depositions are necessary for KFD to respond to Multimatic's motion for summary judgment, filed June 1, 2012 (Doc. No. 524), and set for hearing October 12, 2012. The Court granted the parties' request to modify the briefing schedule on Multimatic's motion for summary judgment to allow these depositions to occur. (See Doc. No. 531) The extension to the discovery deadline requested herein comports with the Court's scheduling order in Doc. No. 531.

The parties agree there is no prejudice by setting the deposition in August: all other discovery deadlines will remain unchanged, expert discovery does not close until October 26, 2012, and trial is not set until March 11, 2013. Accordingly, the requested extension comports with FRCP 29(b) because it will not prevent discovery completion, hearing a related motion or interfere with trial.

Dated: July 23, 2012

GREBEN & ASSOCIATES

/s/ Jan A. Greben

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Attorneys for Plaintiff and Counter-defendant
KFD Enterprises, Inc.

Dated: July 23, 2012

DONGELL LAWRENCE FINNEY LLP

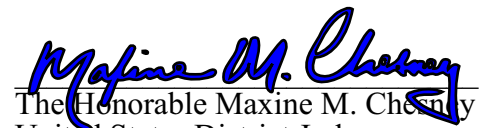
/s/ Thomas F. Vandenburg

THOMAS F. VANDENBURG
CHRISTOPHER W. SMITH
Attorneys for Defendants Multimatic LLC, a New Jersey limited liability company and The Kirrberg Corporation, a New Jersey corporation

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED:

The parties will have until August 31, 2012 to complete depositions of the Multimatic entities' FRCP 30(b)(6) representatives and/or Gertrude Hahn, individually.

Dated: July 24, 2012


The Honorable Maxine M. Cheney
United States District Judge